

F374
.D7

POLITICAL POSITION

OF

THOMAS J. DURANT.

A LETTER

FROM

HON. A. P. DOSTIE,

Auditor of Public Accounts of Louisiana.

TO

HON. HENRY L. DAWES,

Chairman Committee on Elections, House of Representatives.

NEW ORLEANS:

PRINTED AT THE OFFICE OF THE TRUE DELTA

1865.

DR. DOSTIES' LETTER.

NEW ORLEANS, Dec. 29, 1864.

Hon. Henry L. Dewees, Chairman Committee on Elections, House of Representatives,
Washington, D. C.:

Dear Sir: I see by the newspapers that the Congressional delegation from Louisiana has been met by a protest from thirty-one citizens of Louisiana under the leadership of Thomas J. Durant.

Although this protest was drawn up and signed in this city, the free State men of this State knew not its contents until the document had quietly been sent to Washington, and after being printed by order of Congress, found its way back again to this city, and was published in one of our newspapers this morning. The friendly spirit which you manifested towards the Union men of Louisiana in your successful efforts for the admission of her Representatives to Congress in February, 1863, and the important official position you occupy with reference to questions of this kind, lead me to address you hurriedly some remarks with the view of enlightening you on the political antecedents and tactics of Durant, so that his statements may not be received for more than they are worth.

DURANT ABROAD AND AT HOME.

The machinations and insidious efforts of this man to thwart and defeat the restoration of Louisiana to the Union, make it highly proper, if not necessary, that some notice should be taken of his movements. He appears to have the reputation abroad of being identified with the Free State movement here and to have caused many citizens of other States, including members of Congress, to believe him to be the Magnus Apollo of our cause. He is not in anywise a reliable exponent of the Free State men of

Louisiana, as I shall conclusively demonstrate. Was Louisiana the tribunal before which the questions involved are to be decided, I should not find it necessary to notice or expose Durant. He is well known here. His movements and his inconsistencies are thoroughly understood, and need no ventilation. His party has been reduced to thirty-one. His organization has dissolved; his partisans of yore have found that there was neither virtue nor prophecy in his oracles. They are now reduced to thirty-one; and a considerable proportion of these thirty-one are, or have been, applicants for office under the present State Government; showing, though they have yielded to his request for their signatures, they have no faith in the results of his efforts. So much for Durant as he is, and appears to us at home.

But during the past summer he performed a pilgrimage to the North, and while the friends of the Free State cause were battling for their principles before the people and at the polls, he was traveling about misrepresenting their efforts and the condition of affairs, and electioneering against President Lincoln. That he has deceived many good and honest men, is evident. It therefore seems necessary that the true character and past history of this man should be known abroad, as well as at home.

HIS POLITICAL HISTORY.

Thomas J. Durant has been known in Louisiana for the past twenty or twenty-five years as a prominent office-seeking politician. He was United States District Attorney under Polk; and when more recently, in the

co operation campaign, he was accused of having opposed the annexation of Texas, on grounds of hostility to the extension of slavery, he vigorously and publicly denied any such motives. But his more recent political tergiversations, it is more to the purpose to examine.

DURANT AS A MILITARY MAN.

During the reign of the Confederacy in this city he was one of its most obedient adherents. Although above the age to be required to do militia service, he with much alacrity entered as a private into the ranks of the citizen soldiery, and his staid and measured tread and perfection and accuracy of drill were emulated by the admiring youth of the city who were wont to look to him as an example.

CONFEDERATE LAW PRACTICE.

He conformed to the requirements for members of the bar and entered as one of the earliest and most active practitioners in the "Confederate States District Court." In doing this he showed much more readiness than after the arrival of the Union fleet when he refused to practice his profession for some six months on account of having to take the oath.

Here is a specimen of Durant's practice in the so called "Confederate States District Court," which may be seen in his own hand writing in the United States Court of this place:

JOHN L. MANNING, &C., VS. ROMANTA TILLOTSON.—In the Confederate States District Court for the District of Louisiana.

And now into this honorable Court, by counsel, comes Romanta Tillotson, the defendant, and pleads a peremptory exception to the jurisdiction of the Court, and for cause of exception he shows that this suit is brought by and on behalf of persons who are all citizens of the State of South Carolina, and that the defendant is a citizen of the State of Louisiana, and that this Court has no power or jurisdiction by the Constitution and laws of the Confederate States to entertain the cause.

Wherefore, respondent prays that this exception may be maintained, and that the plaintiff's petition may be dismissed.

(Signed) DURANT & HORVOR,
for Defendant.
(Signed) SINGLETON & SLACK,
Attornies.

U. S. CIRCUIT COURT, SIXTH CIRCUIT AND
EASTERN DISTRICT OF LOUISIANA,
Clerk's Office.)

I certify the foregoing to be a true copy of the original on file in this office.

F. B. VINOT,
Deputy Clerk.

NEW ORLEANS, Dec. 27, A. D. 1864.

MANUFACTURES CLOTHING.

His house was a manufactory of Confederate soldiers' clothing, where rebel ladies used to assemble, and with their tongues and their needles give proof of their devotion to the cause of rebellion. These asseverations he cannot deny.

POLAR STAR HALL.

When at last the hearts of the Union people of New Orleans were gladdened by the arrival of the Union forces, who among the citizens went out with rejoicing and welcome upon his lips? Was it Thomas J. Durant? No; he stalked sulkily and sullenly about with his hands in his pockets, finding fault with everything. He was invited to attend the first Union meeting at No. 44 St. Louis street, in Polar Star Hall. He did so, but what did he do? When the formation of a Union Association was proposed, he resisted it; said it was no time; that our sons and brothers were upon the battle-fields; many had gone forth "under our own flag and guard"—(these words have been publicly attributed to Durant, I hope erroneously, but without design); that the result at Corinth was not as yet known; that it behooved the people of New Orleans to await results; that Butler was enticing the negroes to the Custom house and shielding them from the authority of their masters; and that it was best to know first whether our rights to "our property" were to be respected or violated. When the meeting, notwithstanding his speech, proceeded to organize the first Union Association of New Orleans, he withdrew.

WON'T PRACTICE.

Major Bell, the Judge of the Provost Court, after most of the leading members of the bar had commenced practicing in his Court, sent Col. Thorpe to invite Durant to do so also, but was refused on the ground of his objection to taking the oath to support the Constitution of the United States.

DON'T LIKE YANKEE SOLDIERS.

When the heart of every true Union man thrilled with joy to see the welcome blue coats frequenting our streets, Durant coldly and heartlessly said: "I hate the very sight of a soldier; to me it is emblematic of tyranny and despotism."

TRIP NORTH.

Desiring to take a trip to the North

for the benefit of his health, and unable to procure a pass through the usual channels without taking the oath, he succeeded in obtaining one from Gen. Butler. When the latter learned of this, that through this means he had gone North without taking the oath, he gave way to the strongest and most indignant vexation.

LETTERS TO THE PRESIDENT.

He wrote letters to the President of the United States, calling, or, as with a voice of John Hook, hoarsely hissing for protection to negro property as a *sine qua non* to submission or loyalty. Perhaps the President still has Durant's appeals for aid to the cause of slavery; if not, at all events, Mr. Lincoln's patently reply is no doubt on file at the Executive Mansion.

ANTI SLAVERY.

This man sets himself up as a sort of model upon the slavery question; in fact, his "I am nobler than thou" sort of professions upon everything concerning the colored people—his refusal to give credit to the Free State movement for what it has done for their cause, make it necessary that I should analyze his antecedents strictly upon this question. I should not do so but for his unfairness and injustice. Perhaps it fringes me to question any man's past who is patriotically working for our country's future. I freely and frankly admit that though I was never a pro-slavery man, and never bought and sold human flesh, I was in favor of letting the "peculiar institution" alone and against the increasing agitation of the slavery question throughout the nation, and therefore against the abolition plan of carrying on the war; but when the implacability of the rebellion manifested itself and the experience of the war showed slavery to be its strong pillar, when the necessity of its destruction was shown in order to secure the safety of the Union, I publicly declared myself for immediate abolition. I threw off all the previous conservatism of my politics when I saw my country in danger, and made the first public anti-slavery speech in New Orleans in 1862. Throughout the Union the most staid and conservative were changing their ground for their country's sake, which they had previously held, as they thought also, for their country's sake, and in the same spirit. Our glorious President by his procla-

mation of September 23, 1862, foreshadowed an entire change of policy in conducting the war so far as it affected slavery. I would not blame Durant for his multitude of inconsistent positions on the subject of the Union, slavery, reconstruction, State and Territorial Government, had they changed with an enlightened progression in favor of the cause of the Union, freedom and restoration. I shall simply narrate his political antics, and if they are explainable upon any grounds other than those of selfishness, political disappointment, acidity of temper and jealousy that anything could be accomplished as well or better by other hands, I will leave the task to his vindicators.

DEBUT AS A UNION MAN.

His first appearance as a Union man to my recollection, was upon my invitation to address the Union Association of New Orleans in 1863. He had, however, as I am informed made a Union speech in Jefferson City, one of our suburban towns.

FAVORS A CONVENTION.

The first notable proposition he made was to restore Louisiana to the Union by a convention. He made several speeches in favor of immediate restoration by that method, and after most earnest and persevering efforts he succeeded in carrying one of the Union Associations in his favor. Those who opposed him believed in his views but deemed them premature. This was in February, 1863. He continued agitating on the question in the district or local clubs. He became Attorney General under the military authority of Gov. Shepley, and commenced a registry system for voters of the city and country parishes. He had registers appointed in all the parishes within the lines. He got up a plan of a convention upon the white basis, to consist of one hundred and fifty members, apportioned among the parishes almost identically as was adopted in the calling of the Convention of 1864. It was understood that Durant was the active promoter of the scheme of a convention, but that Gov. Shepley always found cause for delay. Excepting his *penchant* for delay, he left everything in Durant's hands; and with this Durant was well pleased. But a certain letter was received from President Lincoln, who, not pleased with Shepley's delays, placed everything in the hands of Maj. Gen. Banks.

HE TAKES ANOTHER TURN

Here was the beginning of Durant's hostility to the plan which has been substantially followed in the restoration of Louisiana. Before that time there was, according to *his own speeches, territory enough and population enough* fully to warrant such a proceeding. Taking the thing out of Saepley's hands was taking it out of Durant's hands. Although all the propositions and plans of Durant have been substantially, nay almost identically followed, his opinions have undergone a radical change. What caused that change to come "over the spirit of his dreams?" Disappointment and ambition. He could not rule as "master," therefore he has striven to *ruin*. On November 22, 1863, at Lyceum Hall, Mr. Durant said: "In this contest there could be no neutrality; if one was not with his country wholly and enthusiastically, he was co-operating with its enemies." Alas! "He who fails to uphold the Administration in all its measures helps the rebellion to tear the country in pieces." In this speech he expressed his belief that he was addressing an audience that was willing to lay their all upon the altar of their country, to preserve the Union and establish freedom to all mankind.

"But we are not a territory in the common conception of that term—such, for instance, as Nebraska and Nevada—we are merely in a state of insurrection, under military rule and without a State government, and when the time comes, if the people themselves will step forward and frame a Constitution, recognizing the principles of freedom as laid down in the Emancipation Proclamation, and without slavery, the return of the State to her allegiance will be hailed with one universal shout of joy from all her free sisters; but until they do this, they must be content to live under the laws made by our military rulers, or as a territory of the United States."

This is the closing paragraph of one of his most elaborate speeches made but little more than one year ago. The State's integrity is not assailed; State lines and State rights under the Federal Constitution are forebly and eloquently defended. He says, in his letter to the Gen. Henry Winter Davis, that the friends of freedom were thwarted in their efforts by the executive at Washington. He says he has watched the progress of the Davis bill with anxiety because he perceived it would give "us" relief from the incapacity and infidelity of the executive administration. He, in his letter, is suddenly apprised of the great efficacy of the Davis plan of reconstruction.

From the moment I had the honor to invite him to identify himself with the cause of Unionism and liberty he urged, in his powerful arguments, that Louisiana had not seceded, that she was still a constituent member of the Union, that she could not disconnect herself from the hallowed bonds otherwise than by the provisions of the Constitution that formed it and made for us the great and glorious Republic; and now he speaks of the Davis' bill as being the only constitutional power known to the Government for the restoration of which in his ablest arguments he claimed had not been lost, and he dares to abuse the great and wise President in seeking to perpetuate in Louisiana "a *Call* that incapacity and selfishness can render odious to the citizens."

HIS SLAVEOCRACY.

That Durant has been no stranger to the system of slavery, the following document, which may be seen at the Conveyance Office of this city, will show: he did not scruple to traffic in, and buy women and children. He said recently in a letter to the New York Tribune, that the people of New Orleans knew what he had done with his slaves. Yes, they do know. He kept them till the close of 1863, when, having got all the work he could out of them, and Gen. Butler's administration against his remonstrances having rendered them of no further pecuniary value to him, he ostentatiously emancipated them in open court, not quietly like hundreds of other citizens, telling them they were free, and contracting for their services as free laborers without a forced and unfavorable display of pretended generosity. What magnificent philanthropy!

NINTH MAY, 1863.—SALE OF SLAVES OF WIDOW PETER CENSUS TO THOMAS J. DURANT. By act passed before W. Christy, Notary Public, dated the 28th day of October, 1845, Pauline Marie St. Jean, widow of the late Peter Censur, late of this city, deceased, has sold unto Thomas J. Durant, also of this city, the following named slaves, to-wit: Rensana, a negress aged about twenty-five years, and her three children, to-wit: Elizabeth, aged about seven years, Tyler, aged about three years, and Sady, an infant, aged about six months—all black.

The sale was made for the sum of eight hundred dollars, (\$800), for which said purchaser has furnished his note bearing eight per cent. interest from its date until final payment, drawn in favor of said vendor, dated 28th October, 1845. New Orleans, 9th May, 1861.

BERNARD MARIGNY, Registrar.

NOT OPPOSED TO SLAVERY EXTENSION.

I now give an extract of his remarks at a

united Southern action mass meeting at the Orleans Theatre, as published in the Daily True Delta, January 4th, 1861:

Thomas J. Durant was next introduced to the meeting. After eloquent and generous allusion to the city, which had taken him by the hand, when a boy and which had fostered the efforts of his maturer age, and picturing the contrast of Louisiana as a French colony and her glory and prosperity as an independent State in a confederacy of equals, Mr. Durant said, that under the grave circumstances in which the country was now placed, any consideration of a personal character might seem to his audience peculiarly out of place and would certainly receive no attention at his hands, were it not that in justice, unbiassed and unclouded thought had been done him in this very place last evening.

A gentleman who was an opponent to the cause he pursued, a man of honor, and one whom he (Mr. Durant) had known and esteemed, he might say, from boyhood, had alluded to what he considered to have been his (Mr. Durant's) views on the annexation of Texas in 1846, supposing that Mr. Durant had then opposed it on the ground, as was stated in the report of his speech in one of the city papers of this morning, that it would extend the area of slavery and give too great a preponderance to the slave power. Mr. Durant said he regretted to see the cause of united Southern action assailed on his account, but the more so by the imputation of him of faults which he was not guilty of. His views at that time had been totally misapprehended; he had then discussed the question on constitutional grounds, believing that there were serious objections to the measure on that score, and believing that the time and manner of annexation then proposed would burden us with a war which a different course might avoid, but that it was a grave error to impute to him (Mr. Durant) views which did not operate in the discussion at all.

Mr. Durant said that sixteen or seventeen years was a long time to look back to, and he was glad his opponents could find nothing more recent to urge against him; but in recurring to the history of that period, it will be found that his position in the Democratic party of that time was such as to procure him the confidential post of member of the State committee which managed the election of Polk and Dallas, the annexation candidates against Mr. Clay and the Whig party of the day, who were then unanimously opposed to annexation; that his position was then, also, such as to secure him the nomination, not long after, by the Democratic party of this city, as candidate for the State Senate, to which he was triumphantly elected; and to secure him the appointment, by Mr. Polk, of the responsible place of United States District Attorney here, which he had filled with satisfaction to the public. And none of these positions could he (Mr. Durant) have attained, had the people, the party, or the Government imputed to him the opinions which are now erroneously sug-

gested. And it seemed to him (Mr. Durant) that after such endorsements, it was too late, under any circumstances, to go behind the record, after seventeen years have elapsed.

The gentleman who has been reported in the press, said Mr. Durant, as having called my patriotism in question, is a man of honor, and would not, I am sure, misrepresent me intentionally. I will therefore dwell no longer on that subject, but of the sneaking fellows who go round in dark corners traducing me, I here denounce them as meretricious calumniators, and am prepared to meet their calumnies here or elsewhere.

But, said Mr. Durant, the true question is—what shall we do now? Not what we did formerly. We should make an effort to secure the safety and honor of the State in the Union, and if that could not be done, we should, all of us together, take measures for our safety and happiness out of it.

HE DON'T RECOGNIZE EMANCIPATION.

He says "no free State Constitution had, on the 8th day of July, been adopted or installed in the fragment of Louisiana held by the military forces of the United States." On the 11th May the Convention, representing fully two-thirds of the entire population of the State, passed the Ordinance of Emancipation. Eighty-five members of the Convention were present and voted upon the great question. Of this number seventy-two voted in favor of the Ordinance, declaring slavery forever abolished and prohibited throughout the State, and inhibiting in their fiat the Legislature from making laws recognizing the right of property in man, and proclaiming that all children, from the ages of six and eighteen years, shall be educated by maintenance of free public schools; also, that all able bodied men in the State shall be armed and disciplined for its defence, and that the black man may receive the full rights of citizenship. Are not these jewels of liberty? With these invaluable jewels the Constitution was adopted in the hearts of the people. The form or ceremony of ratification had not been gone through 'tis true; but Mr. Durant, from his knowledge of the loyalty of his fellow-citizens, could scarcely help knowing it would be ratified by an immense majority, and if he was imbued with that patriotism and love of liberty his eloquent speeches in his saner and more generous moments portray, he would feel to thank those who stood by the helm of the ship when he was in the hold endeavoring to scuttle and sink her.

PARTICIPATES IN THE ELECTION.

Durant participated in the election for State

officers in February, 1864; he was chairman of a committee which conducted the campaign for one set of candidates; he made numerous publications and speeches, and his partner, Chas. W. Horner, who now "criticizes" the protest, went before the people on Durant's ticket as a candidate for Attorney General! The Durant ticket obtained only about one-sixth of the entire vote cast. Finding the weakness of his party, and abandoning all hope of being returned to the Constitutional Convention, he suddenly came to the conclusion that he would not be a candidate, "because the whole movement was irregular!" His partner was, however, again a candidate, and again unsuccessful. If Durant or his partner had been elected, it is fair to assume that we would have had none of their pigny efforts to retard the great Free State movement in Louisiana. And if the President had complied with his wishes, directed Gen. Butler to respect slave property, Durant would not have sought (as he did in his published letter to H. Winter Davis) to ridicule our glorious President, by quoting the lines:

"Full well they laugh, with contented glee,
At all his jokes, for many a joke has he."

CONCLUSION.

But I fear, my dear sir, that the length of this letter may tire you. I have written hurriedly and therefore incoherently. Let the

patriotism and earnestness of my heart compensate for my deficiency of style. I have written more in a spirit of sorrow than in anger. My aim has been nothing to exculpate nor ought to set down in malice; but I have considered it my duty as a good citizen to unmask the conduct of one who has immediately and unjustly sought to thrust himself before the country as the only consistent Union and Free State man of Louisiana, and thus sought to injure the glorious cause of liberty and restoration, under our new Constitution. How far he will succeed in his misdeeds and his hypocritical course in his efforts to control the policies of this State, remains to be seen. With regard to the amount of his success at a distance, where he is not known, I can make no prophecy. But for the people of Louisiana I can boldly say that they have no confidence in his political integrity or wisdom.

With high regard, I am, very respectfully,
yours,
A. P. DOSTAL.

P. S.—While closing the above letter a number of additional documents have come into my possession, showing further light upon Durant's record, which I shall, if necessary, make the subject of another letter.

A. P. D.

LIBRARY OF CONGRESS



0 014 544 136 5

LIBRARY OF CONGRESS



0 014 544 136 5